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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,757	01/22/2002	Rich Baranski	57111-5103	7325

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JEFFER, MANGELS, BUTLER & MARMARO, LLP
1900 AVENUE OF THE STARS, 7TH FLOOR
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EXAMINER

LUGO, CARLOS

ART UNIT PAPER NUMBER

3676

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)	
10/055,757	BARANSKI, RICH	
Examiner	Art Unit	
Carlos Lugo	3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 October 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 15 October 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
- Certified copies of the priority documents have been received.
 - Certified copies of the priority documents have been received in Application No. _____.
 - Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: attachments #1 and #2

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DETAILED ACTION

1. This Office Action is in response to applicant's request for consideration filed on October 18, 2004.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the door guide having a channel retaining a door slidably therein, as claimed in claims 1, 14 and 19, and the door guide opening with alignment slots for accommodating various positions of placement of the striker plate against the door guide inner surface, as claimed in claim 4, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR

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1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. **Claims 1,3,14 and 19 are objected** to because of the following informalities:

- Claim 1 Lines 1-3, change "An adjustable door guide latch slot assembly for aligning a slidable door latch with a fixed door guide comprising" to -An adjustable door guide latch slot **assembly**, for aligning a slidable door latch with a fixed door **guide**, comprising -.
- Claim 3 Line 2, change "the depth of said recessed are" to -said recessed area has a depth that-.
- Claim 3 Line 3, change "the thickness" to -a thickness-.
- Claim 14 Lines 1-3, change "An adjustable door guide latch slot assembly for aligning a slidable door latch with a fixed door guide comprising" to -An adjustable door guide latch slot **assembly**, for aligning a slidable door latch with a fixed door **guide**, comprising -.
- Claim 19 Lines 1-3, change "An adjustable door guide latch slot assembly for aligning a slidable door latch with a fixed door guide comprising" to -An adjustable door guide latch slot **assembly**, for aligning a slidable door latch with a fixed door **guide**, comprising -.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-10,14-17 and 20 are rejected** under 35 U.S.C. 102(b) as being anticipated by US Pat No 3,976,317 to Collier.

Regarding claims 1 and 20, Collier discloses an adjustable door guide latch slot assembly comprising a striker plate (21) having a latch opening (26), and a door guide (see attachment #1).

The door guide has a channel sized to retain a door slidably therein that includes an inner surface and an opening. The opening of the door guide is larger than the opening of the striker plate.

The striker plate may be adjustably affixed directly to the door guide inner surface so that the striker plate latch opening aligns with the latch of the door.

As to claims 2 and 14, Collier discloses that the assembly further comprises a recessed area on the door guide inner surface that is large enough so that the striker plate may be placed flat within said recessed area.

As to claims 3 and 15, Collier illustrates that the depth of the recessed area is at least as great as the thickness of the striker plate (see attachment #2)

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As to claims 4-6 and 16, Collier illustrates that the door guide opening has alignment slots (39) for accommodating various positions of placement of the striker plate against the door guide inner surface.

As to claims 7-10 and 17, Collier discloses that the striker plate has a first set of fastener openings (38) for receiving fasteners to affix the striker plate to the door guide.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 11-13 and 18-21 are rejected** under 35 U.S.C. 103(a) as being unpatentable over US Pat No 3,976,317 to Collier in view of US Pat No 5,757,269 to Roth et al (Roth).

Regarding claims 11-13, 18 and 19, Collier fails to disclose that the assembly further comprises a security device having a latch port for accepting the door latch whereby the security device is affixed to the adjustable striker plate to accommodate the position of the door latch.

Roth teaches that it is known in the art to have a security device in combination with a latch slot assembly.

It would be obvious to one having ordinary skill in the art at the time the invention was made to have a security device, as taught by Roth, into a device as described

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by Collier, in order to provide verification of the latch bolt being in the proper engaged position, thereby ensuring security to the locking assembly.

As to claim 20, Collier illustrates that the depth of the recessed area is at least as great as the thickness of the striker plate (see attachment #2)

As to claim 21, Collier illustrates that the door guide opening has alignment slots (39) for accommodating various positions of placement of the striker plate against the door guide inner surface.

Response to Arguments

8. Applicant's arguments, see Pages 9-12, filed on October 18, 2004, with respect to the rejection(s) of claim(s) 1-20 under 102 and 103 (Russell and Roth) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Collier.

Russell and Roth fail to disclose that the door guide includes a channel that retains the door. Therefore, the rejection is withdrawn. However, as mentioned above, a new ground of rejection was made in view of Collier and in view of Collier, as modified by Roth.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number is 703-305-9747. The examiner can normally be reached on 9-6pm EST.

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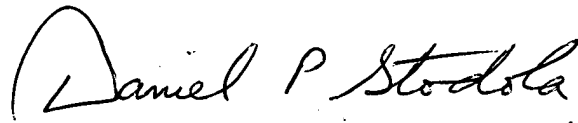
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 703-308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

C.C.

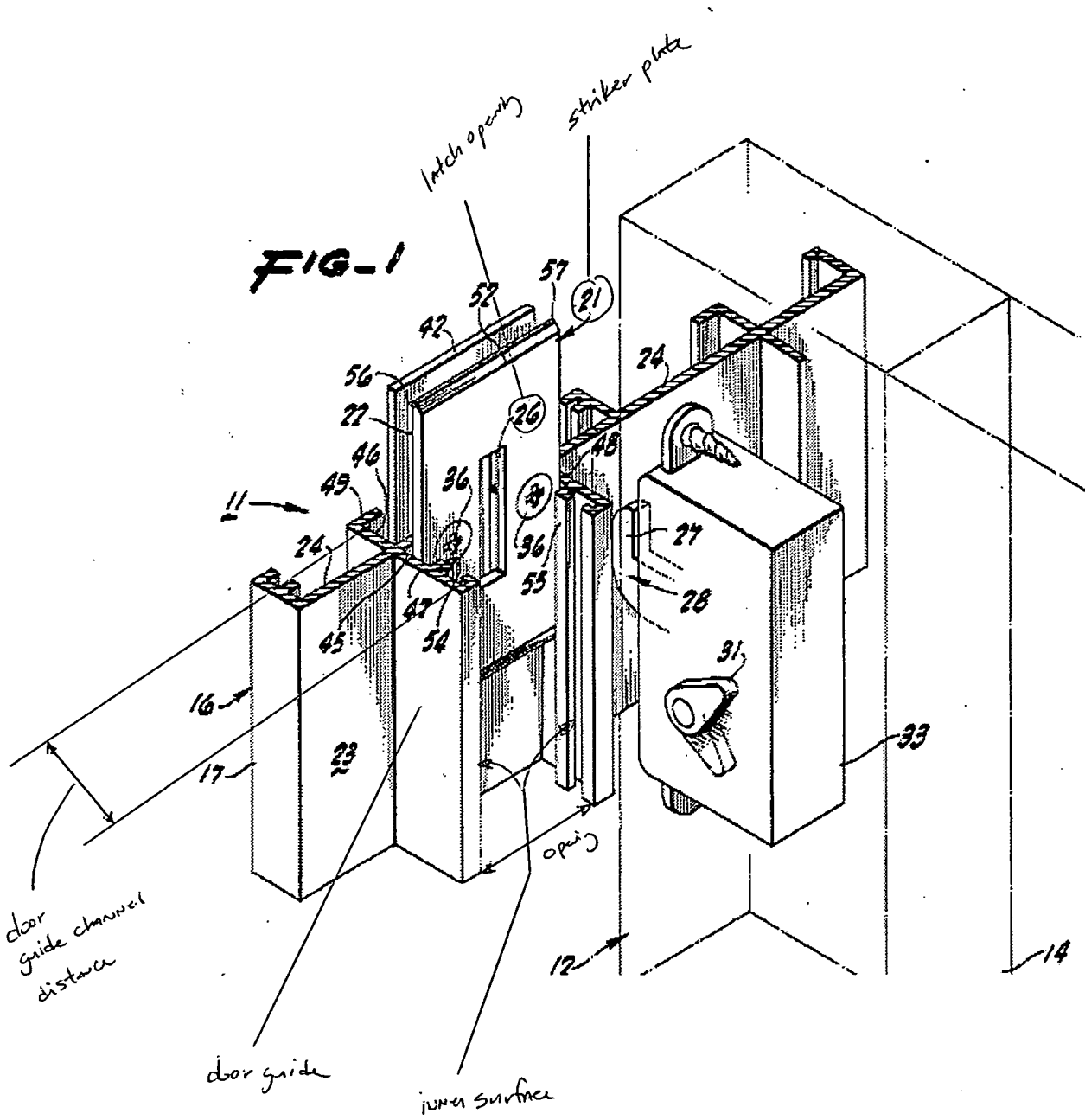
Carlos Lugo
AU 3676

January 9, 2005.

A handwritten signature in black ink that reads "Daniel P. Stodola". The signature is written in a cursive style with a large initial 'D'.

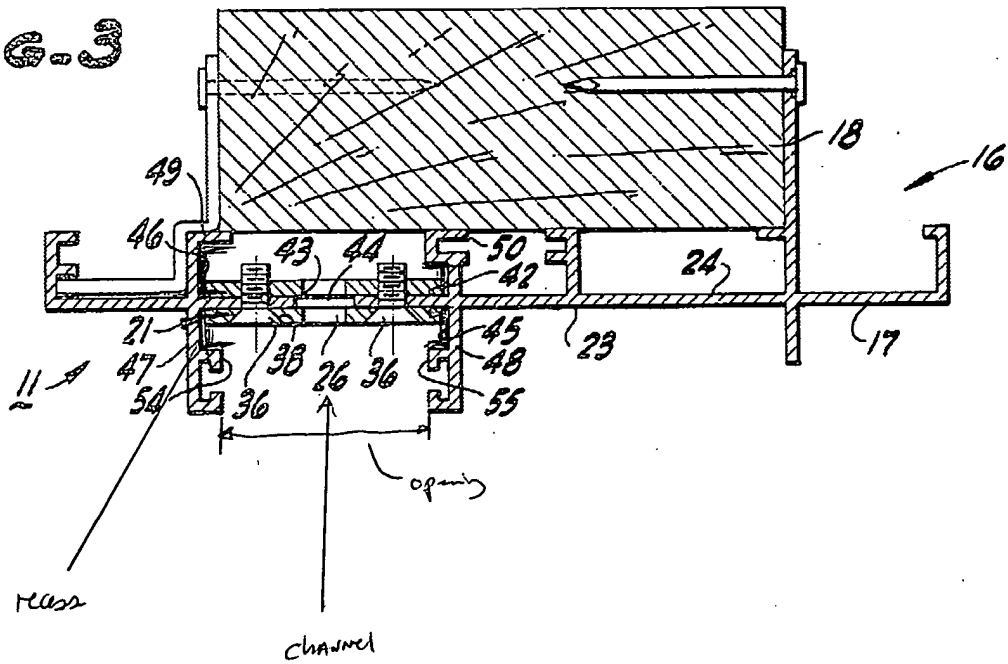
**DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600**

FIG-1



Attachment #1

FIG. 3



Attachment # 2